

U.S. District Court

Middle District of Florida (Tampa)

CIVIL DOCKET FOR CASE #: 8:14-cv-02091-JDW-AEP

Gordon et al v. Dailey et al
Assigned to: Judge James D. Whittemore
Referred to: Magistrate Judge Anthony E. Porcelli
Cause: 15:0078m(a) Securities Exchange Act

Date Filed: 08/26/2014
Jury Demand: Plaintiff
Nature of Suit: 850 Securities/Commodities
Jurisdiction: Federal Question

Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

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Defendant**Zachary Dailey**

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Defendant**Lab Rat Data Processing, LLC**

represented by **Richard M. Hanchett**
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Date Filed	#	Docket Text
08/26/2014	1	COMPLAINT against Zachary Dailey and Lab Rat Data Processing, LLC with Jury Demand (Filing fee \$ 400 receipt number TPA-25346) filed by Merlin Fisher-Levine, Nathanael Flachsbart, Jakub Vondrak, Mark Boehler, Brandon Gordon, Curtis Greene, Russ Henderson, Derek Piper, Byron McDonald, Christopher Galido, Jesse Lobb and James Kolonusz. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Civil Cover Sheet)(LYB) (Entered: 08/27/2014)
08/26/2014	2	SUMMONS issued as to Zachary Dailey and Lab Rat Data Processing, LLC. Additional summons issued as to Lab Rat Data Processing, LLC at alternate address. (LYB) (Entered: 08/27/2014)
09/05/2014	3	NOTICE of designation under Local Rule 3.05 – Track 2 (AO) (Entered: 09/05/2014)
09/08/2014	4	RETURN of service executed on 9/5/2014 by Merlin Fisher-Levine, Nathanael Flachsbart, Jakub Vondrak, Mark Boehler, Brandon Gordon, Curtis Green, Russ Henderson, Derek Piper, Byron McDonald, Christopher Galido, Jesse Lobb, James Kolonusz as to Zachary Dailey. (Hopkins, Christopher) (Entered: 09/08/2014)
09/08/2014	5	RETURN of service executed on 8/27/2014 by Merlin Fisher-Levine, Nathanael Flachsbart, Jakub Vondrak, Mark Boehler, Brandon Gordon, Curtis Green, Russ Henderson, Derek Piper, Byron McDonald, Christopher Galido, Jesse Lobb, James Kolonusz as to Lab Rat Data Processing, LLC. (Hopkins, Christopher) (Entered: 09/08/2014)
09/08/2014	6	RETURN of service executed on 9/5/2014 by Merlin Fisher-Levine, Nathanael Flachsbart, Jakub Vondrak, Mark Boehler, Brandon Gordon, Curtis Green, Russ Henderson, Derek Piper, Byron McDonald, Christopher Galido, Jesse Lobb, James Kolonusz as to Zachary Dailey. (Hopkins, Christopher) (Entered: 09/08/2014)
09/09/2014	7	NOTICE of Service on Defendants by Mark Boehler, Merlin Fisher-Levine, Nathanael Flachsbart, Christopher Galido, Brandon Gordon, Curtis Green, Russ Henderson, James Kolonusz, Jesse Lobb, Byron McDonald, Derek Piper, Jakub Vondrak re <u>3</u> Notice of designation of track (Hopkins, Christopher) (Entered:

(09/09/2014)

09/26/2014	<u>I 8</u>	MOTION for Extension of Time to File Answer re <u>1</u> Complaint by Zachary Dailey, Lab Rat Data Processing, LLC. (Hanchett, Richard) (Entered: 09/26/2014)
10/01/2014	<u>I 9</u>	ENDORSED ORDER granting <u>8</u> Defendants' Motion for Extension of Time to Answer or respond. Responsive pleading due on or before October 29, 2014. Signed by Judge James D. Whittemore on 10/1/2014. (Whittemore, James) (Entered: 10/01/2014)
10/29/2014	<u>I 10</u>	MOTION to Dismiss for Improper Venue or, in the Alternative, to Transfer Venue and Incorporated Memorandum of Law by Zachary Dailey, Lab Rat Data Processing, LLC. (Hanchett, Richard) (Entered: 10/29/2014)
10/29/2014	<u>I 11</u>	MOTION to Sever <i>Plaintiffs' Claims and Incorporated Memorandum of Law</i> by Zachary Dailey, Lab Rat Data Processing, LLC. (Hanchett, Richard) (Entered: 10/29/2014)
10/29/2014	<u>I 12</u>	MOTION to Dismiss Pursuant to Rule 12(B)(6) of the Federal Rules of Civil Procedure and Incorporated Memorandum of Law by Zachary Dailey, Lab Rat Data Processing, LLC. (Hanchett, Richard) (Entered: 10/29/2014)
10/29/2014	<u>I 13</u>	NOTICE of supplemental authority re <u>11</u> MOTION to Sever <i>Plaintiffs' Claims and Incorporated Memorandum of Law</i> , <u>10</u> MOTION to Dismiss for Improper Venue or, in the Alternative, to Transfer Venue and Incorporated Memorandum of Law by Zachary Dailey, Lab Rat Data Processing, LLC. (Hanchett, Richard) (Entered: 10/29/2014)
11/13/2014	<u>I 14</u>	MOTION for Extension of Time to File Response/Reply as to <u>11</u> MOTION to Sever <i>Plaintiffs' Claims and Incorporated Memorandum of Law</i> , <u>10</u> MOTION to Dismiss for Improper Venue or, in the Alternative, to Transfer Venue and Incorporated Memorandum of Law, <u>12</u> MOTION to Dismiss Pursuant to Rule 12(B)(6) of the Federal Rules of Civil Procedure and Incorporated Memorandum of Law by All Plaintiffs. (Attachments: # <u>1</u> Proposed Order)(Butler, Jonathan) Motions referred to Magistrate Judge Anthony E. Porcelli. (Entered: 11/13/2014)
11/13/2014	<u>I 15</u>	ENDORSED ORDER granting <u>14</u> Motion for Extension of Time to File Response/Reply re <u>10</u> MOTION to Dismiss for Improper Venue or, in the Alternative, to Transfer Venue and Incorporated Memorandum of Law, <u>11</u> MOTION to Sever <i>Plaintiffs' Claims and Incorporated Memorandum of Law</i> , <u>12</u> MOTION to Dismiss Pursuant to Rule 12(B)(6) of the Federal Rules of Civil Procedure and Incorporated Memorandum of Law. Responses due on or before 12/1/2014. Signed by Magistrate Judge Anthony E. Porcelli on 11/13/2014. (JMF) (Entered: 11/13/2014)
12/01/2014	<u>I 16</u>	AMENDED COMPLAINT against All Defendants with Jury Demand. filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit LRM Official Announcement, # <u>2</u> Exhibit LRM Prospectus, # <u>3</u> Exhibit LRM Business Plan, # <u>4</u> Exhibit LRM Official Contract, # <u>5</u> Exhibit Initial Investor Contract [6-24-13], # <u>6</u> Exhibit Initial Investor Contract [7-16-13])(Butler, Jonathan) (Entered: 12/01/2014)
12/01/2014	<u>I 17</u>	RESPONSE to Motion re <u>10</u> MOTION to Dismiss for Improper Venue or, in the Alternative, to Transfer Venue and Incorporated Memorandum of Law filed by Mark Boehler, Merlin Fisher-Levine, Nathanael Flachsbart, Christopher Galido, Brandon Gordon, Curtis Green, Russ Henderson, James Kolonusz, Jesse Lobb, Byron McDonald, Derek Piper, Jakub Vondrak. (Butler, Jonathan) (Entered: 12/01/2014)

12/01/2014	<u>I 18</u>	RESPONSE to Motion re <u>11</u> MOTION to Sever <i>Plaintiffs' Claims and Incorporated Memorandum of Law</i> filed by Mark Boehler, Merlin Fisher-Levine, Nathanael Flachsbart, Christopher Galido, Brandon Gordon, Curtis Green, Russ Henderson, James Kolonusz, Jesse Lobb, Byron McDonald, Derek Piper, Jakub Vondrak. (Butler, Jonathan) (Entered: 12/01/2014)
12/01/2014	<u>I 19</u>	RESPONSE to Motion re <u>12</u> MOTION to Dismiss Pursuant to Rule 12(B)(6) of the Federal Rules of Civil Procedure and Incorporated Memorandum of Law filed by Mark Boehler, Merlin Fisher-Levine, Nathanael Flachsbart, Christopher Galido, Brandon Gordon, Curtis Green, Russ Henderson, James Kolonusz, Jesse Lobb, Byron McDonald, Derek Piper, Jakub Vondrak. (Butler, Jonathan) (Entered: 12/01/2014)
12/02/2014	<u>I 20</u>	ORDER transferring case to the US District Court for the District of New Jersey. Signed by Judge James D. Whittemore on 12/2/2014. (KE) (Entered: 12/02/2014)